

FINAL APPROVED

VIRGINIA BOARD OF MEDICINE FORMAL HEARING MINUTES

Friday, February 24, 2012 Department of Health Professions Henrico, Virginia
Perimeter Center
9960 Mayland Drive, Suite #300

CALL TO ORDER: A panel of the Board was called to order at 8:36 a.m.

MEMBERS PRESENT: Stephen Heretick, J.D., Chair
Deeni Bassam, M.D.
Sandra A. Bell, M.D.
Valerie Hoffman, D.C.
Stuart Mackler, M.D.
Jane Piness, M.D.
Wayne Reynolds, D.O.
Jane Maddux

BOARD COUNSEL: Howard Casway, Senior Assistant Attorney General

STAFF PRESENT: Barbara Matusiak, Medical Review Coordinator
Renée S. Dixon, Discipline Case Manager

COURT REPORTER: Beth Aliff, Farnsworth & Taylor Court Reporters

**PARTIES ON BEHALF OF
COMMONWEALTH:** James Schliessmann, Assistant Attorney General
Julia Bennett, Adjudication Specialist

**COMMONWEALTH
WITNESS:** James Wall, Sr. Investigator, DHP
Maurice Nida, D.O.
Jackie Hawkins

RESPONDENT WITNESSES: Patient D
Patient K
Patient B
Adrian Clark, L.P.N.
Alberta Mitchell, Board Member, Lonesome Pine Hospital
Lawrence J. Fleenor, Jr., M.D.
Christopher P. Stapleton, M.D.

MATTER SCHEDULED: Michael B. Ford, M.D. License No.: 0101-020991
Case No.: 127222

PRELIMINARY MATTER:

Mr. Schliessmann offered one correction to a date reference in Allegation #1(b), which should have reflected the date of April 18, 2005.

RULING:

Hearing no objections from Dr. Ford or his counsel, the Chair accepted the correction, which was noted for the record and the Board's reference.

DISCUSSION:

Dr. Ford appeared before the Board in person in accordance with the Board's Notice of Formal Hearing dated November 28, 2011. Dr. Ford was represented by Joseph r. Carico and Carl E. McAfee, Esquires.

The Board received evidence and sworn testimony from witnesses called by the parties and Dr. Ford regarding the matters as set forth in the Statement of Particulars dated November 28, 2011.

During the course of testimony by witnesses called to testify and Dr. Ford, various objections were made and ruled on by the Chair.

At the conclusion of Dr. Ford's case presentation, Mr. Schliessmann recalled Ms. Hawkins' as a rebuttal witness and the Board received additional testimony.

Counsel for Dr. Ford recalled Dr. Stapleton as a rebuttal witness and the Board received additional testimony.

Mr. Carico also introduced additional documentation regarding information he had referenced in his opening remarks. Hearing no objections from Mr. Schliessmann, the Chair accepted the additional documentation and ruled that it would be marked as Respondent Exhibit A and entered into the record.

CLOSED SESSION:

Upon a motion by Dr. Bassam, and duly seconded by Dr. Bell, the Board voted to convene a closed meeting pursuant to §2.2-3711.A (27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Dr. Ford. Additionally, he moved that Mr. Casway, Dr. Matusiak and Ms. Dixon attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations.

RECONVENE:

Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Board re-convened in open session and announced its decision.

DECISION:

Upon a motion by Dr. Bassam, and duly seconded by Dr. Mackler, the Board made certain Findings of Fact and Conclusions of Law and voted to suspend Dr. Ford's license for a period of 90 days. It was further ordered that at the conclusion of the 90 day suspension, the suspension would be stayed and his license would be subject to certain terms and conditions.

VOTE:

The vote was unanimous.

ADJOURNMENT:

The Board adjourned at 8:03 p.m.

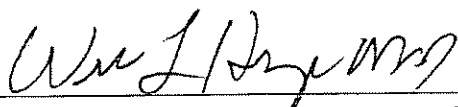
The decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decisions of this formal hearing panel.



Stephen Heretick, J.D., Chair

3/11/12

Date



William L. Harp, M.D., Executive Director

3/13/12

Date